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ORDER E-FILED 11/14/2007

6 Attorneys for Defendant JJ and W Company

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 RICK FUTIA,

12 Plaintiff,

13 v.

14 JJ AND W COMPANY,

15 Defendant.

} CASE NO. C 07 4360 HRL

} **STIPULATION AND ORDER TO
EXTEND TIME FOR (1) FILING
RESPONSE TO COMPLAINT BY
DEFENDANT (2) TIME IN WHICH
TO COMPLETE INITIAL
DISCLOSURES AND (3) LAST DAY
FOR PLAINTIFF TO FILE NOTICE
OF NEED FOR MEDIATION**

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18 Action Filed:

August 23, 2007

19 Trial Date:

Not set

20 TO THE COURT AND ALL PARTIES APPEARING ON RECORD:

21 Plaintiff RICK FUTIA ("Plaintiff") and Defendant JJ AND W COMPANY
22 ("Defendant"), by and through their respective attorneys of record do hereby
23 stipulate and agree to the following amendments to the Case Schedule in the above
24 matter:

25 (1) The time for Defendant to respond to Plaintiff's complaint shall be extended up
26 to, and including **January 31, 2008**.

27 (2) The last day for the parties to complete initial disclosures, including defendant's
28 disclosures re: construction or alteration history of subject premises shall be

Nov-12-07 03:17pm From-

T-840 P.04/04 F-798

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1 extended up to, and including 10 days after either party files a notice of need for
2 mediation.

3 (3) The last day for plaintiff to file notice of need for mediation shall be extended
4 up to, and including February 15, 2008.

5
6 These extensions of time are in no way intended to delay disposition of this action.


7 The parties are working toward amicably resolving this matter and hope to achieve
8 resolution on or before January 31, 2008. The parties have agreed to a site

9 inspection scheduled for November 20, 2007. The extensions of time agreed to are

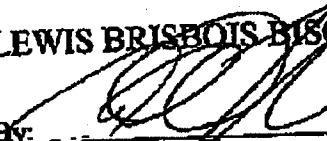
10 required to allow the expert to produce a report of the site inspection and for the

11 parties to evaluate that report, before entering into further negotiations.

12
13 DATED: November 13, 2007


Thomas N. Stewart, III
Attorney for Plaintiff RICK FUTLA

14
15 DATED: November 13, 2007

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: Charles O. Thompson
Paul S. Cowie
Attorneys for Defendant JJ and W Company

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20 **ORDER**

21 Based upon the foregoing Stipulation:

22 IT IS HEREBY ORDERED that the parties shall have through and including
23 the dates listed above in which to file a Response to Plaintiff's Complaint, complete
24 initial disclosures and file notice of need for mediation in the above referenced
25 matter.

26
27 DATED: November 14, 2007


Honorable Howard R. Lloyd
Magistrate Judge